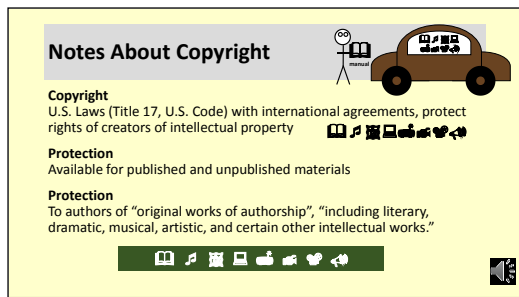


Copyright

By Helen Hough and James G. Collins



Notes about copyright

Copyright is an issue that is impacting all of us as we become more involved in our digital environments.

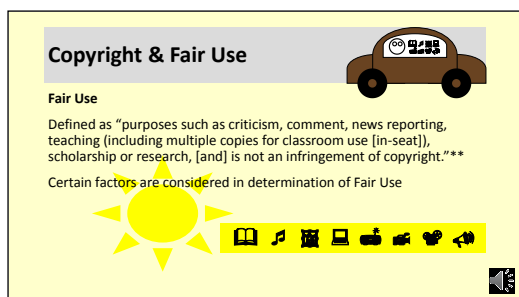
US copyright law is based in the US constitution, specifically Article I, Section 8, Clause 8, known as the Copyright Clause, which empowers the United States Congress:

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

These works are called intellectual property.

As copyright is a matter of law, many countries have similar laws and there are treaties between countries to honor each other's copyright.

U.S. copyright laws accord protections for both published and unpublished materials. These protections are to creators of "original works of Authorship", including literary, dramatic, musical, artistic, and certain other intellectual works. Patent and trademark laws may cover other aspects of intellectual property.



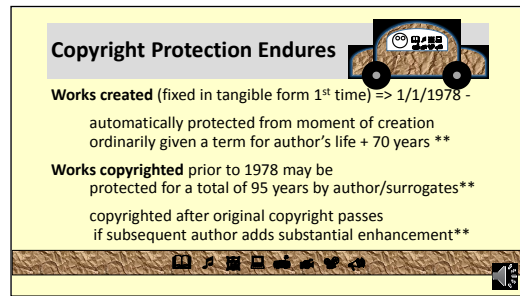
Fair Use

Copyright gets very interesting particularly during the transition between academic and profession roles.

Fair use is a function that is used in academic environments. It is defined as "purposes such as criticism, comment, news reporting, teaching

(including multiples for in seat classroom use), scholarship or research, [and] is not an infringement of copyright."**

Specific factors are considered in the determination of fair use. One of these critical factors is the question “is this type of use negatively impacting the ability of the creator to earn an income from his or her efforts?”



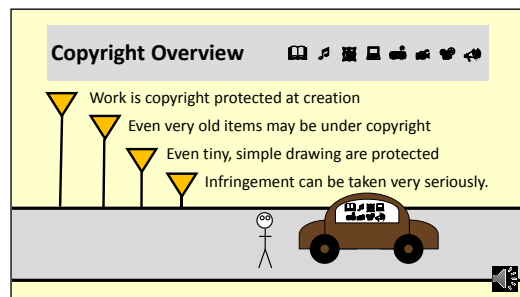
Copyright protection endures

Copyright protections endure much longer than many people realize.

If a work was created since 1978 it was automatically protected from the moment of creation and is ordinarily given a term of protection for the life of the

author plus 70 years.* Other countries may have terms that are even longer. You are able to bequeath the products of your efforts to anyone you want to.

Works created prior to 1978 may have copyright for 95 years. Certain work may be re-copyrighted if a subsequent authors adds substantial enhancement.



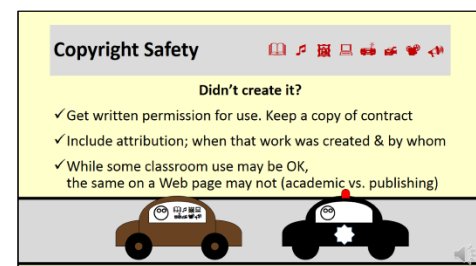
A brief overview of copyright

A work is copyrighted and protected at the moment of its creation. You don't have to register it or have that little c on it.

Even very old things may be under copyright. If it was created after 1923 there is a possibility that it could be protected until the year 2047.

Even tiny, simple drawings are protected. Someone created it.

Copyright infringement can be taken very seriously by some individuals and corporations. Disney is one the many corporations that is known to fiercely protect its copyrights.



Copyright safety

Copyright is very similar to plagiarism but not identical. Copyright is what exists in the real world as opposed to the academic world.

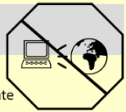

If you didn't create it, get written permission for using it wherever you are going to use it. Keep a copy of this

written contract (because this is a contract).

Include an attribution of when that work was created and by whom (this may not be necessary for some professional uses, as specified in the permission, but this is still polite. Attribution is required for academic purposes)

While using some materials for papers and in-class presentations may be OK as fair use. Using the same thing on a web page may not be. Posting something on the internet may be essentially the same as publication and distribution worldwide and may not be appropriate.

Copyright Courtesy

- Free to view is **not** free to use
- People work & get paid to write & illustrate
- Using someone's work without permission is stealing
- Publishing stolen work around the world via the internet is neither wise nor courteous.

Copyright courtesy

I call this copyright courtesy because it is simple appreciation of the value of people's work.








Just because it was found free on the internet does not mean it is free to use. Copyright guidelines help us avoid breaking the law.

People work and get paid to write, illustrate, photograph, etc. Just because it was found free to look at or listen to, does not mean that these people should be denied their livelihood.

Using someone's stuff without permission from that person is essentially stealing it.

Publishing stolen work around the world via the internet is neither wise nor courteous.

See also

The University of Texas System. Office of General Counsel. (n.d.). *UT System Intellectual Property Policy in plain English*. <https://www.utsystem.edu/ogc/intellectualProperty/IPpolicy-english.htm>

Harper, Georgia. (n.d.). *Copyright Crash Course online tutorial*. <http://www.lib.utsystem.edu/copyright/>

Additional Resources

Some of the easiest to understand information about the differences between US *copyright* and *academic fair use* is available at the University of Texas System Office of the General Counsel.

Georgia Harper, who is a lawyer and also a librarian, has created the Copyright Crash Course; it is also available

through the University of Texas System –

An excellent resource for the nuances related to these issues.

Thank you

References

* United States Copyright Office. (2012). *Copyright basics*. <http://www.copyright.gov/circs/circ01.pdf>

** United States Copyright Office. (n.d.). *Copyright law of the United States* [web site]. <http://copyright.gov/title17/>